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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,440	12/05/2001	Gerald M. Green	7326-20138	9481

7590 10/11/2006

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EXAMINER

GREIMEL, JOCELYN

ART UNIT	PAPER NUMBER
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3693

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/005,440	GREEN ET AL.	
	Examiner	Art Unit	
	Jocelyn Greimel	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/05/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Applicant's application of December 05, 2001, which claims the benefit of 60/254,202 filed December 08, 2000. Claims 1-28 are pending and are presented to be examined upon their merits. Claims 1, 14 and 27 are independent claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeFrancesco et al (US Patent No. 6,587,841, hereinafter DeFrancesco) in view of

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Culhane (US Patent No. 6,513,018) and further in view of Lent (US Patent No. 6,324,524). In reference to claims 1, 14 and 27, DeFrancesco teaches a method, system and computer system and interface for generation of enhanced data to evaluate a proposed borrower, comprising the steps of:

- a. obtaining from said borrower a first set of information, said first set of information including identification information to identify said borrower to a set of information sources (col.1, lines 18-26);
- b. communicating a request to one or more recipient financial information sources, wherein each of said recipient information sources is contained within said set of information sources, wherein said recipient information sources comprise one or more credit bureaus and one or more of a plurality of banks, and one or more government entities, and wherein said request includes identification information identifying said borrower to the one or more recipient information sources receiving said request (col. 1, lines 26-31);
- c. receiving a second set of information from one or more of said recipient information sources; automatically generating a consolidated report based upon said second set of information (col.5, lines 15-25).

5. DeFrancesco fails to teach the method, system and computer system and interface wherein at least one of said recipient financial information sources utilizes a communication buffer so that the request is not communicated directly to said at least one recipient financial information source in association with which the communication

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buffer is utilized. Lent teaches the method, system and computer system and interface wherein at least one of said recipient financial information sources utilizes a communication buffer so that the request is not communicated directly to said at least one recipient financial information source in association with which the communication buffer is utilized (col. 4, lines 4-18).

6. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have at least one of said recipient financial information sources utilize a communication buffer so that the request is not communicated directly to said at least one recipient financial information source in association with which the communication buffer is utilized and to modify DeFrancesco because such a modification would allow DeFrancesco to shield the identity of the client using the buffer.

7. DeFrancesco fails to teach the method, system and computer system and interface determining whether to loan money to the borrower based upon the consolidated report. Duhon teaches the method, system and computer system and interface determining whether to loan money to the borrower based upon the consolidated report (col. 6, lines 38-50; col. 9, lines 1-55; col. 11, lines 22-50).

8. It would have been obvious to one having ordinary skill in the art at the time the invention was made to determine whether to loan money to the borrower based upon the consolidated report and to modify DeFrancesco because such a modification would

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allow DeFrancesco to target potential clients and present them with offers for loan opportunities.

Claim Rejections - 35 USC § 103

9. In reference to claim 2, Duhon teaches the method wherein said step of determining is performed by one or more lenders and further comprising the steps of communicating said consolidated report to said one or more lenders (col. 9, lines 1-55; col. 11, lines 22-50).

10. In reference to claims 3-5 and claims 8-10, Duhon discloses the collection of information from various sources including: information such as social security numbers, electronic signatures, tax information, bank account information, earning information and bank deposit histories as is common in the art of financial transactions (col. 6, lines 10-50).

11. In reference to claims 6 and 11, Duhon teaches communicating, formatting and authorization of information according to certain requirements (col. 4, line 64 – col. 5, line 10; col. 5, lines 50-65).

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12. In reference to claims 7 and 13, Lent discloses communicating a request comprising a communication through an intermediate computer in order to provide a secure interface to the one or more recipient financial information sources (col. 4, lines 4-18) and wherein a consolidated report comprises a confirmation code (col. 10, lines 54-67; col. 11, lines 1-36).

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached on Monday - Friday 8:30 AM - 4:30 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

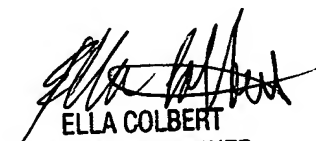
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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel
Examiner, Art Unit 3693
September 26, 2006



ELLA COLBERT
PRIMARY EXAMINER